

LOCAs of different sizes, locations, and other properties sufficient to provide assurance that the most severe postulated LOCAs are calculated.

Appendix K to Part 50 of Title 10 of the Code of Federal Regulations, "ECCS Evaluation Models," requires, among other items, that the rate of energy release, hydrogen generation, and cladding oxidation from the metal/water reaction shall be calculated using the Baker-Just equation.

10 CFR 50.44, 10 CFR 50.46, and 10 CFR Part 50, Appendix K, make no provisions for use of fuel rods clad in a material other than Zircaloy or ZIRLO. The licensee has requested the use of a Lead Test Assembly (LTA) with a tin composition that is less than the licensing basis for ZIRLO tin composition, as defined in Westinghouse design specifications.

Section 50.12 of Title 10 of the Code of Federal Regulations, "Specific Exemptions," states, among other items, the Commission may, upon application by any interested person or upon its own initiative, grant exemptions from the requirements of the regulations of this part, which are authorized by law, will not present an undue risk to the public health and safety, and are consistent with the common defense and security. The Commission will not consider granting an exemption unless special circumstances are present. Special circumstances are present whenever application of the regulation in the particular circumstances would not serve the underlying purpose of the rule or is not necessary to achieve the underlying purpose of the rule.

III

The licensee provided testing and evaluations which demonstrated that the intent of the regulations continue to be met since all aspects of safety, including mechanical, neutronic, thermal hydraulic, transient, and LOCA analyses results fall within those approved for the current 17x17 VANTAGE + fuel assemblies Analysis of Record for Byron Station, Units 1 and 2. The staff has reviewed the licensee's analysis and concluded in a Safety Evaluation dated February 26, 1999, that the licensee has demonstrated prudent judgment in the use of LTAs, and the licensee's analyses remain bounding for the LTAs. Therefore, application of the regulation in the particular circumstances is not necessary to achieve the underlying purpose of the rule.

IV

The Commission has determined that, pursuant to 10 CFR 50.12, this

exemption is authorized by law, will not endanger life or property or the common defense and security, and is otherwise in the public interest. Therefore, the Commission hereby grants the Commonwealth Edison Company an exemption from the requirements of 10 CFR 50.44, 10 CFR 50.46, and 10 CFR Part 50, Appendix K.

Pursuant to 10 CFR 51.32, the Commission has determined that the granting of this exemption will have no significant impact on the environment (64 FR 9549).

This exemption is effective upon issuance.

Dated at Rockville, Maryland, this 26th day of February, 1999.

For the Nuclear Regulatory Commission.

Roy P. Zimmerman,

Acting Director, Office of Nuclear Reactor Regulation.

[FR Doc. 99-5474 Filed 3-4-99; 8:45 am]

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NUCLEAR REGULATORY COMMISSION

[Docket No. 50-368]

Entergy Operations, Inc. (Arkansas Nuclear One, Unit No. 2); Notice of Withdrawal of Application for Amendment to Facility Operating License

The U.S. Nuclear Regulatory Commission (the Commission) has granted the request of Entergy Operations, Inc. (the licensee) to withdraw its May 19, 1995, application for proposed amendment to Facility Operating License No. NPF-6 for Arkansas Nuclear One, Unit No. 2, located in Pope County, Arkansas.

The proposed amendment would have extended the allowed outage time (AOT) for a train of low pressure safety injection (LPSI) inoperable at Arkansas Nuclear One, Unit No. 2 from 72 hours to 7 days.

The Commission had previously issued a proposed no significant hazards consideration determination published in the **Federal Register** on August 2, 1995 (60 FR 39440). However, by letter dated February 16, 1999, the licensee withdrew the proposed change.

For further details with respect to this action, see the application for the amendment dated May 19, 1995, and the licensee's letter dated February 16, 1999, which withdrew the application for the license amendment. The above documents are available for public inspection at the Commission's Public Document Room, the Gelman Building, 2120 L Street, N.W. Washington, DC,

and at the Tomlinson Library, Arkansas Tech University, Russellville, AR 72801.

Dated at Rockville, Maryland, this 26th day of February, 1999.

For the Nuclear Regulatory Commission.

M. Christopher Nolan,

Project Manager, Project Directorate IV-1, Division of Licensing Project Management Office of Nuclear Reactor Regulation.

[FR Doc. 99-5475 Filed 3-4-99; 8:45 am]

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RAILROAD RETIREMENT BOARD

Determination of Quarterly Rate of Excise Tax for Railroad Retirement Supplemental Annuity Program

In accordance with directions in Section 3221(c) of the Railroad Retirement Tax Act (26 U.S.C., Section 3221(c)), the Railroad Retirement Board has determined that the excise tax imposed by such Section 3221(c) on every employer, with respect to having individuals in his employ, for each work-hour for which compensation is paid by such employer for services rendered to him during the quarter beginning April 1, 1999, shall be at the rate of 27 cents.

In accordance with directions in Section 15(a) of the Railroad Retirement Act of 1974, the Railroad Retirement Board has determined that for the quarter beginning April 1, 1999, 36.9 percent of the taxes collected under Sections 3211(b) and 3221(c) of the Railroad Retirement Tax Act shall be credited to the Railroad Retirement Account and 63.1 percent of the taxes collected under such Sections 3211(b) and 3221(c) plus 100 percent of the taxes collected under Section 3221(d) of the Railroad Retirement Tax Act shall be credited to the Railroad Retirement Supplemental Account.

By Authority of the Board.

Dated: February 26, 1999.

Beatrice Ezerski,

Secretary of the Board.

[FR Doc. 99-5451 Filed 3-4-99; 8:45 am]

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SECURITIES AND EXCHANGE COMMISSION

[Release No. 35-26981]

Filings Under the Public Utility Holding Company Act of 1935, as Amended ("Act")

February 26, 1999.

Notice is hereby given that the following filing(s) has/have been made